



Attorney Docket No. 12504US04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Castellani et al.

Serial No. 10/715,942

Filed: November 18, 2003

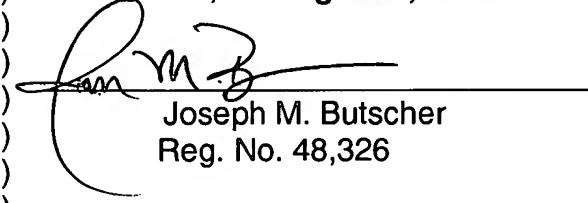
For: QUAD RECEPTACLE, DUAL CIRCUIT
FLUSH POKE-THROUGH WIRING
FITTING WITH INTERNALLY
MOUNTABLE
COMMUNICATION/DATA JACKS

Examiner: Dhiru Patel

Group Art Unit: 2831

)) **CERTIFICATE OF MAILING**

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) 
Joseph M. Butscher
Reg. No. 48,326

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

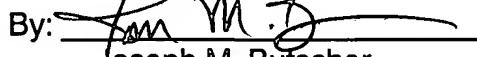
The Applicants request review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reasons stated on the attached sheets

Respectfully submitted,

Date: August 3, 2005

By: 
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Attorney for Applicants

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REMARKS

The present application includes pending claims 1-28, all of which have been rejected. Reconsideration of the claim rejections is requested.

I. Support In The Specification For “Simplex Power Receptacle Having A Respective Housing”

The Examiner has maintained the objections to the following: (1) the drawings under 37 CFR 1.83(a); (2) the specification for allegedly failing to provide proper antecedent basis for the claimed subject matter; and (3) the amendment filed on June 14, 2004 under 35 U.S.C. 132 because it allegedly introduces new matter. Additionally, claims 1-17 and 21-27 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

With respect to each, the Examiner asserts that the specification and drawings allegedly do not show each simplex power receptacle having a respective housing. See, e.g., July 27, 2005 Office Action at pages 2-5. Only after the Applicants effectively traversed previous claim rejections did the Examiner decide to make these objections and rejection. See May 10, 2005 Response Under 37 C.F.R. 1.111 at 3-4. Even if these objections and rejection were valid, such a practice clearly runs afoul of compact prosecution and has inconvenienced the Applicants to a great extent. See *id.* at 4.

The Applicants respectfully submit that a simplex power receptacle having a respective housing is clearly shown in the specification and drawings of the present application. See present application at Figure 9, and May 10, 2005 Response Under 37 C.F.R. 1.111 at 4-6. Thus, the Applicants respectfully request reconsideration of the following: the objection to the drawings, the rejection under 35 U.S.C. 112, first paragraph, the objection to the specification, and the assertion that the June 14, 2004 Amendment added new matter.

II. The Rejection Of Claims 1-28 Under 35 U.S.C. 103

Claims 1-28 now stand rejected under 35 U.S.C. 103(a) as being unpatentable over Whitehead in view of Dola. For previous claim rejections that were traversed by the Applicants, see (1) July 27, 2005 Office Action at page 6; (2) April 19, 2005 Office

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Action at page 6; (3) November 2, 2004 Office Action at page 3; (4) August 6, 2004 Office Action at pages 2 and 4; and (5) March 17, 2004 Office Action at pages 2 and 8.

With respect to the current rejection articulated by the Examiner, the Applicants respectfully maintain that there is no motivation to combine Dola with Whitehead. See May 10, 2005 Response Under 37 C.F.R. 1.111 at 6-11, particularly at 10-11. In short, attempting to add Dola to Whitehead ignores the references as a whole. See *id.* There simply is no teaching or suggestion in Whitehead to use any of the bulky components or sizeable openings disclosed in Dola, which is not concerned with the space-constraining considerations of Whitehead. See *id.* In short, the Examiner is attempting to pick and choose one isolated element of Dola and shoehorn it into Whitehead.

Additionally, the claims of the present application do not "merely duplicate the essential working parts" of the embodiments shown in Whitehead or the other two references, as suggested by the Examiner. In short, designing systems that accommodate the **maximum** number of components in a **limited** space is simply not merely duplicating working parts. See May 10, 2005 Response Under 37 C.F.R. 1.111 at 15-16.

III. Conclusion

The Applicants respectfully request reconsideration of the objections and rejections noted above. Please charge any fees due in connection with this submission to Deposit Account No. 13-0017.

Respectfully submitted,



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Date: August 3, 2005

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